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09/512,411	02/24/2000	Xiaobao Chen	3-2-2	5744

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EXAMINER
NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *April 25, 2008*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-11 and 16-21* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-11 and 16-21* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

UNITED STATES PATENT AND TRADEMARK OFFICE

Detailed Office Action

1. In view of the Appeal Brief filed on April 25, 2008, PROSECUTION IS HEREBY

REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two

options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR

1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental

appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other

evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-8, 10, 11 and 16-21 are represented for examination.

Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this
title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a

whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 5-8, 10, and 16-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Matti Turunen., (hereinafter Turunen) U.S. Patent No. 6,477,644 and Larry

Suarez., (hereinafter Suarez) U.S. Patent No. 5,790,789 further in view of Patel., (hereinafter

Patel) U.S. Patent No. 6,850,764.

5. As to claim 1, Turunen discloses the invention substantially as claimed, Turunen discloses

including a method of establishing a quality of service session between a correspondent node and

a mobile node, the mobile node having a home address in a home network and being temporarily

connected at a care-of address in a foreign network, the method comprising the steps of:

generating, in the foreign network, a source address of the mobile node's care-of address and a

destination address of the correspondent node [see col.2, lines 23-35, and col.6, lines 20-50] (the

host is registered with a foreign agent of that network, the foreign agent then transmits to the

mobile host an internet address of the foreign agent ....whenever the mobile host registers with a

new foreign network, a new care-of-address is sent to the home network's home agent to replace

the previously registered care-of-address). However, Turunen does not explicitly disclose

transmitting the modified message.

6. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation,

control and deployment of services within a distributed computer environment). Suarez discloses

transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards

the modified message to the destination service).

7. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9]. Also, Turunen and Suarez do not explicitly disclose the session being a quality of service session between the corresponding node and the mobile node.

8. In the same field of endeavor, Patel discloses (e.g., Method and system for allocating bandwidth in a wireless communications network). Patel discloses the session being a quality of service session between the corresponding node and the mobile node [see col.1, lines 36-45] (*Wireless communication networks use the IP Qos architecture to support the transmission of data and/or voice traffic between mobile devices and a wireline network*).

9. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Patel's teachings of a method and system for allocating bandwidth in a wireless communications network with the teachings of Turunen, to have the session being a quality of service session between corresponding node and the mobile node, for the purpose of providing accurate estimates of location-specific bandwidth availability, tools for estimating the location-specific demand via source profiling and usage profiling, and establishing QoS policies that are location, application, and class specific [see col.3. lines 39-45].

10. As to claim 2, Turunen teaches the invention as claimed, further comprising the steps of: receiving, in the home network, a request message having a source address of the correspondent node and a destination address of the mobile node's home address; creating a modified request

message by replacing the destination address of the request message with the mobile node's care-of address; transmitting the modified request message to the foreign network [see col.2, lines 23-35, and col.6, lines 20-50] (the host is registered with a foreign agent of that network, the foreign agent then transmits to the mobile host an internet address of the foreign agent ....whenever the mobile host registers with a new foreign network, a new care-of-address is sent to the home network's home agent to replace the previously registered care-of-address). However, Turunen does not explicitly disclose transmitting the modified message.

11. In the same field of endeavor, Suarez discloses (e.g., method and architecture forthe creation, control and deployment of services within a distributed computer environment). Suarez discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service). Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

12. As to claim 5, Turunen teaches the invention as claimed, further comprising the steps of: receiving, in the home network, creating by replacing the source address with the mobile node's home address [see fig.3 of Turunen]. However, Turunen does not explicitly disclose transmitting the modified message.

13. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez

discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to ihe destination service). Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

14. As to claim 6, Turunen does not explicitly teaches the invention as claimed, wherein the correspondent node generates the request message and receives the further modified reply message. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez discloses transmitting the modified message [see col. 26, lines 40- 67] (the destination agent then forwards the modified message to the destination service).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

15. As to claim 7, Suarez teaches the invention as claimed, wherein: the correspondent node is associated with a correspondent proxy device whereby: the correspondent proxy device

generates the request message; and the correspondent proxy device generates confirmation responsive [see fig. 13]. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment), suarez discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

16. As to claim 8, Turunen teaches the invention as claimed, wherein the step of generating the message is carried out in the mobile node [see fig.3]. However, Turunen does not explicitly disclose transmitting the modified message. 17. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing

network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

18. As to claim 10, Turunen teaches the invention as claimed, in which the step of generating the message is carried out by a proxy device in the foreign network, the proxy device being associated with the mobile node [see col.6, lines 20-50]. However, Turunen does not explicitly disclose transmitting the modified message. 19. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service). Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

20. As to claim 16, Turunen teaches the invention as claimed, including a system configured to supporting session, comprising: a correspondent node, a mobile node having a home address in a home network and being temporarily connected at a care-of address in a foreign network [see col.2, lines 23-35, and col.6, lines 20-50] (the host is registered with a foreign agent of that network, the foreign agent then transmits to the mobile host an internet address of the foreign agent ....whenever the mobile host registers with a new foreign network, a new care-of-address is sent to the home network's home agent to replace the previously registered care-of-address); a

proxy device, in the foreign network, the proxy device associated with the mobile node for

generating a modified reply message of an internet protocol packet having a source address of

the mobile node's care-of address and a destination address of the correspondent node [see col.6,

lines 41- 52] (the GSM network's home agent receives these forwarded datagrams and redirects

them to the mobile host). However, Turunen does not explicitly disclose transmitting the

modified message.

21. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the

creation, control and deployment of services within a distributed computer environment). Suarez

discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then

forwards the modified message to the destination service). Accordingly, it would have been

obvious to one of ordinary skill in the networking art at the time the invention was made to have

incorporated Suarez's teachings of a method and architecture for the creation, control and

deployment of services within a distributed computer environment with the teachings of

Turunen, to have transmitting the modified message for the purpose of reducing network traffic,

reducing distribution complexities, and support alternative language systems [see col.6, lines 7-

9]. Also, Turunen and Suarez do not explicitly disclose the session being a quality of service

session between the corresponding node and the mobile node.

8. In the same field of endeavor, Patel discloses (e.g., Method and system for allocating

bandwidth in a wireless communications network). Patel discloses the session being a quality of

service session between the corresponding node and the mobile node [see col.1, lines 36-45]

(*Wireless communication networks use the IP Qos architecture to support the transmission of*

data and/or voice traffic between mobile devices and a wireline network).

9. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Patel's teachings of a method and system for allocating bandwidth in a wireless communications network with the teachings of Turunen, to have the session being a quality of service session between corresponding node and the mobile node, for the purpose of providing accurate estimates of location-specific bandwidth availability, tools for estimating the location-specific demand via source profiling and usage profiling, and establishing QoS policies that are location, application, and class specific [see col.3. lines 39-45].

24. As to claim 17, Turunen teaches the invention as claimed, wherein the proxy device is located in the mobile node [see fig.3, mobile node 9].

25. As to claim 18, Turunen teaches the invention as claimed, wherein the proxy device is located outside the mobile node and coupled to the mobile node [Fig.1]

26. As claim 20, Turunen teaches invention as claimed, the system being a mobile IP environment [see fig.3].

27. As to claim 21, Turunen teaches the invention as claimed, wherein the step of generating the modified reply message comprises: generating a reply message having a source address of the mobile node's home address and a destination address of the correspondent node [see col.6, lines 41-52] (the GSM network's home agent receives these forwarded datagrams and redirects them to the mobile host), and replacing the source address with the mobile node's care-of-address [see col.6, lines 21-40]. However, Turunen does not explicitly disclose transmitting the modified message.

28. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez

discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9].

29. Claims 3, 4,1 l, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matti Turunen., (hereinafter Turunen) U.S. Patent No. 6,477,644, Larry Suarez., (hereinafter Suarez) U.S. Patent No. 5,790,789, further in view of Patel., (hereinafter Patel) U.S. Patent No. 6,850,764, and further in view of Kidder et al., (hereinafter Kidder) U. S. Patent No. 5,903,735.

30. As to claim 3, Turunen teaches the invention as claimed, wherein the step of generating the modified reply message is carried out by proxy device in the foreign network, the proxy device being associated with the mobile node, and further comprising the steps of: responsive to receipt message at the proxy device, sending an indication signal to the mobile node, whereby the modified reply message is generated responsive to receipt acknowledgment from the mobile node [see fig. 1.]. However, Turunen does not explicitly disclose transmitting the modified message.

31. In the same field of endeavor, Suarez discloses (e.g., method and architecture for the creation, control and deployment of services within a distributed computer environment). Suarez discloses transmitting the modified message [see col. 26, lines 40-67] (the destination agent then forwards the modified message to the destination service).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Suarez's teachings of a method and architecture for the creation, control and deployment of services within a distributed computer environment with the teachings of Turunen, to have transmitting the modified message for the purpose of reducing network traffic, reducing distribution complexities, and support alternative language systems [see col.6, lines 7-9]. However, Turunen and Suarez does not disclose quality of service session:

32. As claim 4, Turunen does not explicitly teach the quality of service session is an RSVP Message, the request message is a Path message and the modified reply message is a Reservation message.

33. In the same field of endeavor, Kidder discloses (e.g., a method and apparatus for transmitting data having minimal bandwidth requirements) Kidder discloses the quality of service session (See Kidder, col.7, line 55-col.8, line 17);

34. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Kidder's teaching of a method and apparatus for transmitting data having minimal bandwidth requirement with the teachings of Turunen to have a quality of service session includes in a communication system because it would have an efficient system that provide to accommodate the prioritization of low bandwidth, minimum latency messages of small packet sizes [see Kidder, col12, lines 37-40].

35. In the same field of endeavor, Kidder discloses (e.g., a method and apparatus for transmitting

data having minimal bandwidth requirements) Kidder discloses the quality of service session is

an RSVP session (See Kidder, col.7, line 55-col.8, line 17); the request message is a Path

message (see Kidder, col.8, lines 3-17, col.8, lines 49-65, and col. 10, lines 22-38); and the

modified reply message is a Reservation message (see Kidder, col.8, lines 3-17, and col.9, lines

17-41).

Conclusion

35. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272- 3929.

The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300. Information

regarding the status of an application may be obtained from the Patent Application Information

Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

a USPTO Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh Tammy Nguyen/

Primary Examiner, Art Unit 2144